

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDS SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 11/20/07

-----X
ISHA WESTERN,

Plaintiff,

07 Civ. 6247 (PKC)

-against-

ORDER

AMERIPATH, INC.

Defendant.
-----X

P. KEVIN CASTEL, U.S.D.J.

Defendant has moved to dismiss the action pursuant to Rule 41(b), Fed. R. Civ. P., for failure on the part of plaintiff Isha Western to prosecute this action. Ms. Western has written to the Court urging that the case not be dismissed and that she be allowed to represent herself. She has had the right to represent herself in this action but has failed to comply with orders of this Court.

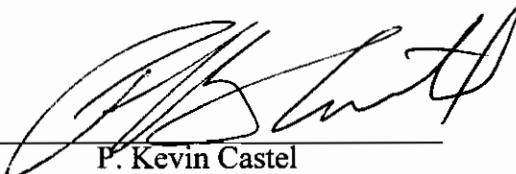
I will hear oral argument on the motion on December 5, 2007 at 9:30 a.m.

ON DECEMBER 5, 2007 AT 9:30 A.M., MS. WESTERN IS DIRECTED TO APPEAR IN COURTROOM 12C, THE MOYNIHAN U.S. COURTHOUSE, 500 PEARL STREET, NEW YORK, NY 10007. MS. WESTERN SHALL APPEAR IN PERSON OR BY AN ATTORNEY ADMITTED TO PRACTICE BEFORE THIS COURT WHO HAS FIRST FILED A NOTICE OF APPEARANCE. THE PURPOSE OF THIS COURT SESSION IS FOR ORAL ARGUMENT ON THE MOTION AND ALSO AS A GENERAL PRETRIAL CONFERENCE. MS. WESTERN IS INVITED TO CONTACT THE COURT'S PRO SE OFFICE LOCATED IN ROOM 230 OF THE MOYNIHAN U.S. COURTHOUSE, 500 PEARL STREET, NEW YORK, NY 10007.

IF MS WESTERN SEEKS TO HAVE THE COURT BELATEDLY CONSIDER ANY AFFIDAVITS, EVIDENCE OR MEMORANDA IN CONNECTION WITH THE MOTION, THEN, NO LATER THAN NOVEMBER 28, 2007, SHE SHOULD FILE THEM WITH THE CLERK OF COURT.

FAILURE TO APPEAR ON DECEMBER 5, 2007, AT 9:30 A.M. WILL RESULT IN DISMISSAL OF THIS ACTION FOR FAILURE TO PROSECUTE. A DISMISSAL OF THIS ACTION MEANS THAT THE LAWSUIT WILL BE OVER AND MS. WESTERN WILL RECOVER NOTHING. FAILURE TO OPPOSE THE PENDING MOTION TO DISMISS MAY ALSO LEAD TO DISMISSAL OF THIS LAWSUIT.

SO ORDERED.



P. Kevin Castel
United States District Judge

Dated: New York, New York
November 19, 2007